

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Steven Sloan,

Plaintiff,

v.

D. Sumner,

Defendant.

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Case No. 13-12163

Honorable Nancy G. Edmunds

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S JULY 10, 2014  
REPORT AND RECOMMENDATION [34], GRANTING DEFENDANT'S MOTION FOR  
PARTIAL DISMISSAL [31], AND GRANTING SUMMARY JUDGMENT FOR  
DEFENDANT**

This matter came before the Court on the magistrate judge's July 10, 2014 report and recommendation on Defendant Sumner's motion for partial summary judgment. (Dkt. 34.) The magistrate judge noted that Plaintiff had not filed a response to the motion for partial summary judgment, despite ordering Plaintiff to do so on May 6, 2014. (Dkt. 33.) The magistrate judge considered matters outside of the pleadings, so she considered the entire case on a summary judgment standard. She recommended granting Defendant's motion for partial dismissal on the official capacity and mental/emotional damages claims and motion for summary judgment on the remaining claims. She further recommended granting summary judgment for Defendant on all the case's claims because Plaintiff could not establish a genuine issue of material fact on any of the claims.

In addition to not filing a response to the motion for partial summary judgment, Plaintiff has not filed any objections to the magistrate judge's report and recommendation. "[T]he

failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 09-10933, 2012 WL 3639070, at \*1 (E.D.Mich. Aug. 24, 2012) (citation omitted). The Court nevertheless agrees with the magistrate judge's report and recommendation.

Being fully advised in the premises, having read the pleadings, and for the reasons set forth above, the Court ACCEPTS and ADOPTS the magistrate judge's July 10, 2014 report and recommendation. (Dkt. 34.) The Court therefore GRANTS Defendant's motion for partial summary judgment (dkt. 31) and grants summary judgment to Defendant in the case's entirety.

So ordered.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: August 7, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 7, 2014, by electronic and/or ordinary mail.

s/Carol J. Bethel  
Case Manager